

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

LETICIA MUNGUIA,) Case No. CV 15-582 SJO(JCx)
Plaintiff,)
v.) ORDER ACCEPTING FINDINGS,
WELLS FARGO BANK, N.A.,) CONCLUSIONS, AND
et al.,) RECOMMENDATIONS OF UNITED
Defendants.) STATES MAGISTRATE JUDGE

Pursuant to 28 U.S.C. § 636, the Court has reviewed Defendants' Joint Motion for Court Order Issuing Terminating Sanctions Based upon Plaintiff's Failure to Comply with June 14 Order to Be Deposed ("Defendants' Motion"), filed by defendants Wells Fargo Bank, N.A. ("Wells Fargo"), NBS Default Services, LLC ("NBS") and APB Properties LLC ("APB"), all supporting and opposing documents filed by the parties in connection therewith, and the record in this matter, including the United States Magistrate Judge's Report and Recommendation Regarding Defendants' Motion ("Report and Recommendation"). The Court approves and accepts the Report and Recommendation.

///

IT IS HEREBY ORDERED: (1) Defendants' Motion is granted in part and denied in part; (2) plaintiff is prohibited from introducing evidence that anyone attempted to reinstate the loan on the date of the trustee's sale; (3) plaintiff is prohibited from introducing any testimony regarding or from, and any documents obtained from Ramona Espinoza, Salome Osuna, Andres Osuna and Fiesta Auto Insurance; (4) plaintiff is prohibited from offering the documents she belatedly produced on October 4, 2016 and any testimony regarding such documents; (5) plaintiff is prohibited from offering any other unproduced documents which were called for by the Magistrate Judge's January 15, 2016 and September 28, 2016 Orders which defendants did not otherwise independently possess; and (6) plaintiff is prohibited from offering any testimony/evidence regarding Maria Osuna's role/activities beyond that which Osuna herself testified about in her initial deposition; and (7) plaintiff shall pay monetary sanctions in the amount of \$10,612.59 to defendant Wells Fargo and monetary sanctions in the amount of \$8190 to defendant APB within fourteen (14) days of the entry of this Order.¹

IT IS FURTHER ORDERED that the Clerk serve copies of this Order and the Report and Recommendation on the parties to this action.

IT IS SO ORDERED.

DATED: November 18, 2016.

S. James Oten

HONORABLE S. JAMES OTERO
UNITED STATES DISTRICT JUDGE

¹The Order does not prohibit defendants themselves from offering the referenced testimony/evidence. To the extent defendants do so, plaintiff is prohibited from offering contradictory testimony/evidence.